

**COMMISSION CONFERENCE  
MAY 16, 2000**

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Present: Mayor Naugle  
Commissioners Hutchinson, Katz, Smith and Moore (2:10)

Also Present: City Manager, City Attorney, City Clerk and Police Sergeant

**OB – “Mayor for a Day” Essay Contest**

Mayor Naugle introduced Master Sean Collins, a student at Virginia S. Young Elementary School, who had won the “Mayor for a Day” Essay Contest. He explained that Mr. Collins would be working with him throughout the day.

**I-B – Urban Design Initiative – Design Principles and Concepts**

Mr. Chris Wren, Manager, Office of Community & Comprehensive Planning, recalled that the consulting firms of Duncan Associates, Inc. and Edward D. Stone, Jr. & Associates to assist in the preparation of a Citywide Urban Design Initiative for the City.

*Mr. Henry Iler*, Consultant, advised that a number of meetings had been held within the community to obtain input from stakeholders, and he provided a slide presentation. He explained the primary goal was to inform and obtain input today from the Commission. Mr. Iler stated that the goals of the project were to raise the quality of urban design in Fort Lauderdale and raise the level of understanding and awareness of the urban environment. He hoped to build consensus on this topic through this process and to develop design guidelines. Further, Mr. Iler wanted to provide some specific pilot projects to demonstrate the various aspects of urban design that were important to Fort Lauderdale.

Mr. Iler described the project process thus far. It had been started with interviews and kick-off meetings within the community, research, and analysis. At this time, the public participation phase was being culminated and, after this meeting, a preliminary report would be written and presented to the Commission before finalization. Mr. Iler referred to the stakeholders who had been involved. They included several City Commissioners, City staff, County staff, representatives of the Downtown Development Authority (DDA), Community Redevelopment Agencies, neighborhoods, cultural groups, developers, urban designers, and the academic community. In addition, public meetings had been held.

Mr. Iler summarized the stakeholder comments, which had been divided into four categories. The first category was “community identity,” to bring out Fort Lauderdale’s unique identity. Comments included identification of features on major road and water gateways in the City, and to distinguish those corridors through design features. He stated that a lot of people felt the marine industry should be a feature of any urban design identity, and people wanted to ensure strong identity statements at the Airport, at Port Everglades, and along I-95.

At 2:10 P.M., Commissioner Moore arrived at the meeting.

Mr. Iler advised that the second major category of comments had been in the area of “aesthetics.” He reported that strip commercial centers along various corridors had been mentioned by many, and people felt money and more flexible zoning regulations should be provided to retrofit those centers to include desirable urban design features. In addition, a number of people had mentioned improving the appearance of street closures, which had become a popular method of controlling traffic in neighborhoods, and many people had mentioned the need to control sign pollution. Other ideas included more art in public places, new streetscapes, and more public plazas, particularly in the downtown area.

Mr. Iler said that the third category was in the area of “planning transportation and open space.” He stated that the unification of the downtown area with pedestrian- and bicycle-friendly connections to nearby areas had been mentioned at every meeting. Mr. Iler advised that more residential development downtown had been discussed, along with entertainment features, and strengthened linkages between the downtown area, the Airport, and the TriRail. He noted that the first stakeholder meeting had involved people from the Metropolitan Planning Organization (MPO), and they had been very focused on transit and transportation. They felt waterborne transportation should play a greater role in Fort Lauderdale. Mr. Iler added that it was important to ensure that the urban design initiatives included low-income commercial areas and neighborhoods.

Mr. Iler stated that many people felt it was time to address the large number of substandard hotels and housing units. On the architectural side, historic preservation had been recognized as a cornerstone of any urban design vision for the City. People generally wanted low scale development, but there was support for taller buildings in specific areas where they were appropriate. He said that many people felt height should be controlled on the beach, and a number of design professionals felt there should be more flexibility in zoning to allow professionals to do better jobs of building and site design. Mr. Iler said the design professionals had also mentioned the idea of diversifying architectural design character. They felt Fort Lauderdale had enough Mediterranean style, and they thought some diversity would be a strength.

Commissioner Moore asked what corridors had been mentioned with respect to the substandard housing and hotels. Mr. Iler believed that had been referenced in terms of the entire City. People felt substandard units should be addressed Citywide, although he was not personally aware of substandard hotel units and had not asked about it during the meeting. Commissioner Smith asked if any specific areas had been mentioned in terms of high-rise development. Mr. Iler replied that people considered it appropriate downtown, and several people felt heights had grown too great in the beach area. He added that halfway through the meetings, he had realized there were two types of issues – urban design issues and urban planning issues. He felt it was important to pursue urban design rather than becoming too involved in planning issues that affected land use directly. Mr. Iler explained the idea was to examine how the City was designed.

*Mr. Bill Renner*, Consultant, presented some analysis maps that were displayed around the room. He pointed out that there were public and private sector projects underway, and the goal had been to find some consensus on design with a consistent design vision. Mr. Renner advised there were over 60 neighborhoods in Fort Lauderdale, which was a unique aspect of the community but also a challenge. He advised that people wanted neighborhood identity, and a windshield survey had been conducted to identify areas of need, which had led toward a list of projects to be presented later.

Mr. Renner said in addition to the pilot projects in each district, some conceptual design guidelines were being developed. He provided a list of Urban Design Elements that reflected the major characteristics of the City based on the stakeholders meetings. Beneath each Element were Urban Design Guidelines that defined a collective vision for the City and could serve to guide design decisions. He noted that they were not intended to guide planning decisions, such as zoning, but the Elements were:

1. Waterways and Waterfronts
2. Design Diversity
3. Building Scale and Massing
4. Neighborhoods
5. Commercial/Retail Districts
6. Downtown Central Business District
7. Beach and Ocean
8. Transportation Corridors and Gateways
9. Interstate 95 Corridor
10. Transit
11. Bridges
12. Historic Features
13. Parks, Plazas and Open Spaces
14. Pedestrian Linkages
15. Public Landscape
16. Special Events
17. Art in the City
18. Signage and Graphic Image
19. Miscellaneous

Mayor Naugle asked if there had been any discussion about the “saw tooth” parking garage design facing the water. Mr. Renner stated that enhancing views from the water to the land had been discussed. Mayor Naugle said he received a lot of complaints about the visual pollution from the River of the “saw tooth” design. Mr. Renner displayed slides of various areas around Fort Lauderdale showing positive features related to each of the Design Elements.

Mr. Renner stated that the windshield survey had indicated the I-95 corridor needed attention. He pointed out that most people used that corridor while in Fort Lauderdale and, while there had been strides made, there were a lot of areas that needed attention. He also noted that art in the City had come up again and again, and the DDA had a program involving local artists that added a lot to the environment.

Mr. Renner advised that in identifying the potential pilot projects, the following criteria had been considered:

- representation of important design guidelines;
- distribution between Commission Districts;
- distribution between types of neighborhoods;
- emphasis on areas of particular need such as the Northwest;
- the urban design vision gained in stakeholder meetings and the Town Hall meeting; and
- effective use of available resources to make genuine and long-lasting improvements in the urban design of the City.

Mr. Renner advised that two projects in each district had been identified, so the Commission could select one each. He stated that the projects were very conceptual in nature, and they had been grouped. The first related to transportation corridors, such as Broward Boulevard improvements and streetscape enhancements from Powerline Road to Andrews Avenue. Commissioner Smith wondered why it would stop at Andrews Avenue. Mr. Renner agreed there was no reason to stop.

Mr. Renner said another potential project involved Federal Highway improvements from Lauderdale Lakes to Davie Boulevard, as well as gateways to the beach on 17<sup>th</sup> Street, Las Olas, Sunrise, Commercial and Oakland Park Boulevards. He noted that one suggestion had been made to close A-1-A to vehicles, but he thought that was more of a planning issue. Mayor Naugle believed a citizens' petition had passed in 1990 that would prevent the elimination of vehicles on A-1-A on a permanent basis unless there was a referendum.

Mr. Renner stated that Sunrise Boulevard streetscape, east and west of I-95, had been suggested as a potential project, along with Sistrunk Boulevard. Gateways to the City on Davie, Broward, Sunrise, Oakland Park, and Commercial Boulevards and Cypress Creek Road were also potential projects for consideration. Mr. Renner described some of the other potential projects on the list, which were not so closely related to transportation, including better lighting in neighborhoods, signage, parks, and the promotion of the urban design initiative.

Commissioner Hutchinson referred to the transportation corridors and gateways. She did not feel these improvements should stop at Davie Boulevard. She suggested they extend to State Road 84. Commissioner Moore noted one suggestion was to designate a historic enclave to which endangered historic structures could be moved. He wondered if anyone had suggested a particular location. Mr. Renner replied that had not yet been addressed. Mayor Naugle believed one possible location was Federal Highway at the River. Mr. Renner added that this would be a place for buildings as a last resort to preserve them, and it had been done in other cities.

Mayor Naugle stated there had been a lot of preservation in Sailboat Bend, but he thought it would make sense to have areas throughout the City with groups of historic buildings. Mr. Renner stated that Delray Beach used this approach.

Commissioner Katz wanted to see the consultants work more closely with the designers and the academic community to provide direction. She noted there were a lot of different issues and ideas, but she wanted to know how to put it all together so everyone would have direction.

At 2:35 P.M., Commissioner Moore left the meeting. He returned at 2:37 P.M.

Mr. Renner said the consultant team could, for example, make recommendations on how transit corridors might look, but where and how they affected vehicular circulation was a much larger issue. Commissioner Katz was concerned about providing transitions between different areas, such as the downtown area and the surrounding residential community.

Commissioner Smith felt this was a valuable visionary tool that provided opportunities to plan ahead. He wondered when this would become a working document in the long term. Mr. Wren stated that the long-range goal was to have a living document in place that could be used to base government decisions. He explained that a lot of government decisions affected the "build environment." Once all those environments had been categorized, the consultants would rate them, and the pilot projects would help bring forward a plan to help guide future decisions. Commissioner Smith asked if this would end up within the ULDR. Mr. Wren said the document would identify issues that might need adjusting, and certain things would likely be contained in the ULDR. He felt this was an opportunity to unify everyone's goals in terms of urban design.

Commissioner Hutchinson hoped this would lead to a master plan so everyone would know, for example, what the downtown would look like once it was all built-out. She thought that would make things easier for the development community and neighborhoods, and avoid a piecemeal approach to development.

Mayor Naugle thought this was a difficult task because design guidelines were desired but so was architectural freedom. He believed one ingredient that had been missing over the past five or six years had been good design input from the Planning & Zoning Board. Mayor Naugle thought some panel of experts to critique projects and make recommendations might be in order. He was concerned about some of the buildings constructed in the downtown area, for example, since site plan approval by the Planning & Zoning Board had been eliminated from the process. Mayor Naugle believed it would be difficult to address this need through the ULDR.

Commissioner Smith asked if there was any funding for the projects. Mr. Wren replied that the consultants were under contract to formulate the plan, and then bring forward and complete four pilot projects. Those projects would go through the City Commission for prioritization and selection. He advised there were no capital funds identified at this point, but everyone would know what to plan for in the future to accomplish the goals.

Mr. Iler stated the goal now was to develop a vision for the next 20 or 30 years so the City would be guided in making its decisions in the long-term. Commissioner Smith thought the only way this would work would be if developers were provided copies of the resulting document so they could design projects in conformance with the goals contained in the plan. Commissioner Hutchinson believed the desired features would have to be contained in the ULDR because developers would not be required to provide such features otherwise. Mayor Naugle felt some sort of overlay zoning would be necessary to accomplish certain goals in certain areas.

Mr. Iler explained that this plan would provide a framework for fitting in individual projects. It would help set priorities, and the capital projects would provide samples to show people how the urban design concept worked. Mayor Naugle understood the next step was to identify the four pilot projects. The City Manager agreed and reiterated that this was a long-range process. He stated that this would not be a panacea, and there were other programs underway that would result in some short-term projects, such as the CAP Program.

**Action:** Approved as discussed.

**OB – 2000 Census**

Mayor Naugle recognized former *County Commissioner Sylvia Poitier* and acknowledged her efforts relating to the 2000 Census.

**Action:** None.

**I-A – Lauderdale Manors Housing Initiative – New Visions Community Development Corporation and Dania Economic Development Corporation**

A discussion was scheduled on a proposal from the Lauderdale Manors Homeowners' Association, in partnership with New Visions Community Development Corporation and Dania Economic Development Corporation, to purchase, rehabilitate, and resell abandoned homes to recycle them to qualified first-time buyers. This item was conceptually approved at the April 11, 2000 Conference meeting.

*Ms. Marsha Goldsby*, President of the Lauderdale Manors Homeowners' Association, explained the intent was to address abandoned properties within this neighborhood, and she displayed photographs of some of those properties. She expressed appreciation to the Commission for its conceptual approval of this proposal to address this widespread problem. *Ms. Goldsby* believed that a great deal could be accomplished with the City's help and allocation of \$500,000.

Mayor Naugle asked if SHIP funds would be used. *Ms. Faye Outlaw*, Housing Manager, did not believe the request had been specific, although the use of SHIP funds could be examined. Commissioner Moore understood the partners had pooled their resources and expertise to undertake this project, and the goal was to maintain the single-family character of neighborhoods. He believed that addressing one property would lead to addressing another and another, which would help neighborhoods gain control.

Commissioner Smith supported the concept, but he wanted to hear more about the mechanics of the process. He was interested in the organization and the progress made elsewhere. Although the concept sounded simple, Commissioner Smith did not think it was that easy to accomplish.

*Ms. Lisa Rogers Cherry*, of New Visions CDC, described some of the successes and noted that the program included an educational component. She stated that New Visions had trained over 1,700 people about taking care of their homes. *Ms. Cherry* noted that some of the clients had never had checking accounts before, and they needed help in purchasing, rehabilitating and maintaining their homes.

*Mr. Jerry Carter*, of the Dania Economic Development Corporation, stated that properties in need of rehabilitation would be identified first. He noted that there had been an abundance of foreclosures in the Lauderdale Manors neighborhood, and abandoned properties had a tendency to attract an element that caused problems. Mr. Carter acknowledged that there were sometimes problems with clearing title but, in the long run, this sort of program benefited the City, neighborhoods and individuals who wanted to own their own homes. Mr. Carter stated that the buyers would be pre-qualified, and neighborhoods were eventually stabilized.

Commissioner Smith asked if the properties were appraised. Mr. Carter replied they were appraised as a first step. He stated that acquisition was negotiated, and another appraisal was performed. Mr. Carter explained that there had been no foreclosures on any of the houses transformed in this fashion. Commissioner Smith asked if the Dania Economic Development Corporation was a not-for-profit organization. Mr. Carter replied it was a 501(c)(3) not-for-profit organization.

Commissioner Moore felt this was a project that would have true impact on the community, the City and the County. He thought this could serve as a prototype in other areas, and it empowered people. Commissioner Smith suggested a pilot project with two homes so the Commission could observe the demonstrated results.

The City Manager said he had certainly seen some of the benefits of this type of program on Northwest 5<sup>th</sup> Avenue. He stated that an allocation proposal would be developed for Commission consideration, and some benchmarks could also be developed to measure success. Commissioner Moore pointed out that the idea was to concentrate these types of effort in an area in order to have true impact. He understood 6 or 7 homes could be addressed within a two-block area. Coupled with streetscape improvements and swale reclamations, Commissioner Moore believed real progress would be achieved.

Mayor Naugle understood that as the budget for October 1, 2000 was being formulated, a recommendation for funding this program would be included. The City Manager said he traditionally presented budget recommendations for Community Development Block Grant (CDBG) funds before October 1<sup>st</sup>, and he was hopeful something could be brought back to the Commission within the next 60 days. Commissioner Moore wondered if there were funds available now. Ms. Outlaw advised it would take a major program amendment process.

**Action:**       Approved.

### **I-C – Community Policing Initiative Study and Demonstration Center**

A discussion was scheduled on a consultant study regarding the Community Policing Initiative and Demonstration Center. Mr. Michael Brasfield, Police Chief, explained that the Police Department had hired *Dr. Craig D. Uchida* to conduct a study of the community policing efforts and the Demonstration Center. The Police Chief stated that the study had examined the results of the community policing efforts on the community and how the Demonstration Center contributed, including the effect of officer training.

Dr. Uchida believed the Commission had received copies of the final report that had been prepared. He explained that community policing, like the earlier discussion about urban design, related to the quality of life. Dr. Uchida believed the Commission was aware of the elements of community policing, and he had found that Police Department/citizen interaction was extremely effective in Fort Lauderdale. He advised that the Police Department was involved in problem solving, and the community had accepted the principles of community policing. Dr. Uchida said his company had worked in 20 or 25 different police departments around the country, and the concept was not as well accepted by all communities.



Dr. Uchida pointed out that crime had gone down throughout the City, and particularly within targeted areas. He noted that numerous surveys had been conducted within the Police Department and neighborhoods, and crime data had been analyzed. Dr. Uchida advised this had been accomplished because the Police Department had been so cooperative, and the citizens had been very good in terms of participation. He reported that over 70% of survey respondents felt citizens trusted the police enough to work together effectively. In addition, over 80% of residents were satisfied or very satisfied with the quality of police services provided in Fort Lauderdale.

Dr. Uchida reported that 90% of patrol officers and sergeants agreed that assisting citizens was just as important as enforcing the law, and 82% of sergeants believed citizens were willing to work with the police to try to solve neighborhood problems. He stated that the entire Police Department was encouraged to and followed the principles of community policing, and the majority agreed that top department leadership encouraged community policing. However, the great majority of police officers did not feel there were enough officers on patrol, but citizens were aware of officers on the street.

At 3:27 P.M., Commissioner Moore left the meeting. He returned at 3:30 P.M.

Commissioner Smith asked if the consultants had gone on the assumption that all the patrol officers were working as community patrol officers to some degree, or if it was just a specialty unit. Dr. Uchida replied that some comments had been made in the report about specialty units, and there were good and bad points, but most understood the community policing concepts and had received training. Nevertheless, he believed training could be improved.

Dr. Uchida stated that only 36% of patrol officers and sergeants felt the Department had done a good or excellent job of providing training in community policing, and 64% felt better training was in order. Further, only 19% of officers and half the sergeants felt the Department had done well in rewarding officers who did a good job of community policing.

Dr. Uchida said that one of the major questions the study had sought to answer had been: "What are the outcomes of community policing on the community and within the Department?" He had found that there was less fear of violent crime in Fort Lauderdale than in other areas, although the citizens were concerned about property crimes. Citizens and businesses believed neighborhoods were good and getting better, and residents were aware of officers on the street. He advised that a large majority of residents and businesses regarded police services in a positive way.

Dr. Uchida referred to the Demonstration Center and advised that over 77% of the Police Department had been provided training in this location. Residents had also attended training sessions and were willing to participate in more of them. He stated that officers were listening to citizens and residents, and they were willing to learn from residents. Dr. Uchida believed the police had strengthened their relationships with homeowners associations and other community groups through the Demonstration Center.

Dr. Uchida reported that in the three Community Policing Initiative areas, he had found that crime had decreased significantly over the five-year period from 1995 to 1999. He noted that the decrease had not been as dramatic in CPI District 3 because the initiative had only been started in that area about a year ago. Based on the findings, Dr. Uchida recommended that the Police Department should:

1. Reduce the friction that existed between patrol officers and CPI officers.
2. Encourage more problem solving among line officers and reinvigorate problem solving among CPI officers.
3. Continue to improve technology in the Department, and make Compstat-type information available to all officers.
4. Set minimum productivity goals for CPI and patrol officers regarding arrests.
5. Continue training at the Demonstration Center, with a focus on advanced community policing issues and community policing for supervisors.
6. Seek additional funding from the COPS Office for the Demonstration Center.

The Police Chief said the Police Department had looked on this as an opportunity. Aside from the fact that the evaluation had been required by the federal government, valuable suggestions had been made for improvement, and he had been pleased by the information gathered. The Police Chief also wished to take this opportunity to report that 1,000 gun locks had been made available to the community, and all but 20 had been distributed. The Assistant Police Chief noted that another 1,500 would be obtained next week.

**Action:** None

At 3:36 P.M., the meeting was recessed. It was reconvened at 3:53 P.M.

At 3:35 P.M., Commissioner Moore left the meeting. He returned at 3:55 P.M., and Commissioner Hutchinson left the meeting. She returned at 3:57.

#### **I-D – Local Government Infrastructure Surtax**

A discussion was scheduled on the Local Government Infrastructure Surtax, also known as the Infrastructure Sales Tax authorized by s. 212.55(2), Florida Statutes. The City Manager recalled that Commissioner Katz had provided information in this regard that she had obtained while attending the Florida League of Cities Legislative Day. She had asked that additional research be conducted, and a fairly lengthy written report had been distributed to the Commission.

Mr. Bud Bentley, Assistant City Manager, stated that the most common method of financing capital projects had historically been general obligation debt paid for with property taxes. In addition, the County issued general obligation bonds, and he understood an issue would be included on the November ballot. He stated that Florida allowed local communities the option of imposing local option sales taxes, and it was referred to as the Infrastructure Tax. He explained it could be proposed by the County Commission or cities representing 51% of the population by resolution. In either method, the tax had to be approved by the voters by referendum.

Mr. Bentley stated that 28 of 67 counties in the State of Florida had levied an Infrastructure Sales Tax. Of those, 26 had levied a penny tax, and 2 had levied a half-cent tax. He explained that such a tax applied to the first \$5,000 of tangible personal property. He noted that charts had been distributed about the taxes levied in different areas. Mr. Bentley believed that the different amount of tax had a marginal effect on shoppers' spending habits.

Mr. Bentley pointed out that a "wish list" produced in 1995 had also been distributed with respect to outstanding capital improvements projects not expected to be funded in the near future. In fact, several of those improvements had been funded, but many more projects had been identified without funding.

Mayor Naugle asked how long such a tax could be imposed. Mr. Bentley replied that there was some confusion in this regard because the Statute discussed any tax levied prior to 1993. Those were for a term specified in an ordinance or 15 years. After 1993, all ordinances had to specify a term, and there was no limit imposed.

Commissioner Smith inquired about the process. He understood 51% of the cities in the County had to participate and, if they did, the County had to put the question on the ballot. Mr. Bentley stated the County could adopt an ordinance and place it on a ballot, or 51% of the cities by population could cause a question to be placed on a ballot. If passed, the tax was levied Countywide, and the cities received a certain amount based on a formula. Mr. Bentley stated that the default formula in the Statute was population-based, and the County received approximately double what the unincorporated population would produce because the formula was weighted. Commissioner Smith understood counties could enter into agreements with cities to return all the money to the cities. Mr. Bentley agreed that was a possibility, or a straight per capita formula could be utilized.

Commissioner Smith did not want to discourage Commissioner Katz from seeking revenues, but he preferred that capital projects be driven by citizens rather than the bureaucracy. Commissioner Katz said she was particularly concerned about fire stations, police stations, sewers, economic development, and recreational needs. She felt staff should speak with other cities in Broward County to see if they might be interested. Commissioner Katz believed, for instance, that there was some interest in Hollywood. Commissioner Moore thought the appropriate avenue to pursue interest was through the Broward League of Cities. He invited Commissioner Katz to come to a League meeting with this subject on the agenda. Commissioner Moore thought someone from Jacksonville could be invited to provide information on its program, along with Mr. Bentley. Commissioner Hutchinson agreed this would allow Fort Lauderdale to gain a sense of how the other cities in Broward County felt about the issue. Commissioner Katz noted that this idea had been presented to the Budget Advisory Board, and she thought it was only fair to allow that Board to pursue other funding avenues.

Commissioner Moore presented a map showing the areas that had sanitary sewers. He pointed out that a large block of the City did not have sewer facilities, and he believed the lack of infrastructure was the reason economic development was not taking place in certain areas. Commissioner Moore believed developers tended to build in areas with infrastructure so, when the City considered issues such as this tax, he felt they should be considered holistically. Commissioner Smith noted that a lot of areas had sewers, and that was because the residents had paid for the facilities.

Mayor Naugle noted that there were some neighborhoods that resisted sewers because they did not want town houses and other new developments. Commissioner Moore agreed that was true. Commissioner Katz believed there were also environmental reasons for sanitary sewers in some areas.

Commissioner Hutchinson said that she had received a lot of calls in this regard, and they were mostly positive. She believed that a lot of people felt this was the way to address capital needs, and many of the discussions had centered on sewer facilities. Commissioner Moore noted it was not just about sewers, at least as presented by Commissioner Katz, and these monies could be used to address other needs.

Mayor Naugle believed there was consensus to start with the League of Cities to determine if there was any support on the parts of other cities throughout Broward County. Commissioner Smith asked if a "wish list" was being developed in terms of the CAP Program. Mr. Chris Wren advised that workshop meetings were planned for June, and citizen groups would help develop a community-driven list of desired projects.

Commissioner Moore reminded the Commission that there might be a petition drive for sewers in Lauderdale Manors. He was willing to discuss the idea of delaying such a petition drive in District 3 until this idea had been explored to address more than just sewers. Mayor Naugle wondered if the Tarpon River project should also be postponed in that case. He thought it would be difficult to ask residents of that neighborhood to pay for a special assessment project if funding sewers through an infrastructure tax was being considered. The City Manager did not think the Tarpon River hearing could be postponed at this point. Mayor Naugle thought some consideration might also have to be given to refunding money to those who had paid for sewers by special assessment over the past ten years. Commissioner Moore thought anything was possible.

Commissioner Katz stated that the CAP Program in her area would not be addressed for five years, and she would not want to postpone this for five years. She wanted citizen input now, perhaps through her web site.

The City Manager believed timing was very important. He explained that the information gathering and education aspects of this issue alone would take time. The City Manager wanted to make sure there was time to thoroughly analyze the situation, particularly with the County Commission obtaining two new seats. He believed that would have impact on the County Commission's willingness to address the needs of cities, and there were other taxes under consideration at this time. The City Manager explained that when the voters felt there were too many proposals, the tendency was to vote against them, so timing was extremely important.

Mayor Naugle asked if the Children's Services Tax would be on the ballot in September. That was the City Manager's understanding, and various other taxes were under consideration. Commissioner Moore felt that gathering information might also provide some methods other than the penny tax for funding capital improvements. Commissioner Moore asked staff to develop a presentation for the Broward County League of Cities in this regard.

**Action:** Presentation to be scheduled for Broward County League of Cities.

**I-E – Recertification of Future Land Use Map –  
South Regional Activity Center (South RAC) Land Use Designation**

A discussion was scheduled on a proposal to proceed with the adopted land use designation for the South Regional Activity Center (South RAC) on the City's Future Land Use Map. Mr. Chris Wren, Office of Community & Comprehensive Planning, stated that Broward County had asked the City Commission to reaffirm its position on developing a South RAC. Commissioner Rodstrom had raised the issue to make sure this was still the proper direction since the City Commission election. Mr. Wren stated that staff recommending moving forward, and the Commission had approved in the past.

Mayor Naugle asked if a presentation could be given to Commissioner Rodstrom. Commissioner Hutchinson thought neighborhoods should also be requested to support this before the County Commission to avoid any more "grandstanding."

Commissioner Katz wondered if a single developer could come in and “gobble up” all the units. Mr. Wren explained that this would provide some additional units for the South Andrews/Commercial area to augment housing through mixed use. Basically, it would make legal what was existing and provide additional housing along the Andrews Avenue corridor. He explained that this would not change any zoning, and staff would be working with the community very closely before any zoning changes were proposed. He stated that a developer could theoretically use up the units, but he did not expect that to occur because of the land pattern in the area. Mayor Naugle pointed out that the City Commission also would have the final say on the allocation of flex.

Commissioner Smith inquired about progress on the Northwest RAC. Mr. Wren advised that it had been necessary to start the process over with that area, and it would first have to be considered by the State Department of Community Affairs. It would then be presented to the County and the Planning Council. He had been assured by County staff that no problems were envisioned. Commissioner Hutchinson understood the only reason the City was changing the land use to RAC was due to the fact that the County did not have a mixed use land designation. Mr. Wren agreed that was correct.

**Action:** Approved.

#### **I-F – City View Development Project**

A discussion was scheduled on the status of the City View Development Project mediation efforts to date, and the City’s role in the project. Commissioner Smith had requested that this item be heard during the Regular Meeting this evening after the Consent Agenda was considered.

**Action:** Subject to be discussed at Regular Meeting.

#### **II-A – Wingate Landfill and Incinerator Site**

An update was presented on the Consent Decree, pending litigation, remediation, additional properties, and reuse of the Wingate Landfill and Incinerator site. Commissioner Moore complimented staff on how well they were working with area residents. He understood the legal issues would continue, but his concern was whether or not the property would be screened in some fashion. He pointed out that Item II-B pertained to dust control on a construction site, while this item pertained to an even more serious problem. Commissioner Moore wanted to ensure that this site was screened during the process.

Mr. Greg Kisela, Assistant City Manager, introduced *Mr. Tom McSweeney* of OHMIT. Mr. McSweeney stated that mesh could be used on the fencing during this project, and there would be water trucks available to control dust. He did not believe use of the mesh had been planned, but it had been used in the past. Commissioner Moore wanted the mesh on the fence.

Mayor Naugle inquired about the cost of the mesh and the additional property that was being purchased. Commissioner Moore pointed out that no one cared about the cost when a private developer was working on a site, and he did not feel that should be the issue in this case either. Mayor Naugle was interested in how the amount related to the total cost of the remediation.

Mr. Kisela stated that a \$2.5 million reserve had been accumulated. He expected acquisition costs to be \$1.2 million, and the demolition would also have to come out of the remainder. On June 6, 2000, a resolution authorizing a bond issue to pay for the remediation would be presented to the Commission. He had originally expected the City's share of the remediation to be \$8.3 million, but he believed the amount would be closer to \$6.5 million.

Commissioner Moore appreciated everyone's efforts in this regard. Commissioner Smith preferred to consider the bond resolution after agreement had been reached on the property purchases to the north. Mr. Kisela advised these purchases were scheduled for consideration on June 20, 2000, but information on the estimated cost of the properties to the north could be provided on June 6, 2000. It was the consensus to defer consideration of the bond resolution until after consideration had been given to the property acquisitions to the north.

Commissioner Moore thought it would be helpful if the Commission could see the new area at the site. He felt the assemblage efforts made perfect sense, and a tour should be arranged. It was the consensus of the Commission to visit the site before a Conference meeting or on the fifth Tuesday in May.

**Action:** As discussed.

## **II-B – Construction Impact Mitigation**

A report was presented on measures used by the Construction Services Bureau, Building Services, to mitigate impacts on adjacent properties resulting from projects under construction. Mayor Naugle believed improvements were in order.

*Ms. Alysian Childs*, a resident of the Portofino Condominium, stated that her residence was next door to the Jackson Tower development. She displayed photographs of damage that had occurred as the result of the construction. Ms. Childs advised that residents had been cleaning up trash, but there were three active construction sites in the immediate area.

Mayor Naugle reported that there had been repeated complaints in this regard with respect to The Palms. He stated that the City had "looked the other way," and he hoped appropriate arrests would be made and appropriate measures taken to protect adjacent properties during construction projects as did other communities all over the world. Commissioner Hutchinson agreed it was time this problem was solved.

Ms. Cecelia Hollar, Construction Services, stated that a Code amendment had been adopted in 1999 that provided some provisions requiring some mitigation. It basically indicated that builders could not allow damage to occur on adjacent properties. She felt that allowed the City the flexibility to require wrapping or other measures. Ms. Hollar stated that staff had been conducting announced and unannounced inspections, and they had been working with a facilitator to resolve the issues. She advised that The Palms had made extensive efforts to work with neighboring properties to control debris and avoid damage. However, there were greater difficulties with Jackson Towers.

Mr. John Smith, Building Official, believed successes were being achieved in terms of The Palms, and the neighbors were more satisfied with measures taken during construction of the second tower. However, a poor job was being done on the Jackson Towers site. In fact, Mr. Smith intended to officially shut down the site tomorrow because the screening had not been installed as promised. He had already verbally indicated the work would be shut down until the mitigation measures had been implemented. Mr. Smith did not believe it was possible to eliminate all debris, but the contractor was not in compliance with the requirements at this time, and there would be at least six more weeks of concrete pouring.

Mayor Naugle asked if someone could be arrested for violating this Code Section, and the City Attorney indicated that a Notice to Appear could be issued. Commissioner Moore thought shutting down the job site would have greater impact. He noted that he had recently attended SunFest in Palm Beach, and he had noticed several buildings under construction. They had all been wrapped. He asked staff to examine the situation on Clematis Street because if Palm Beach could do this, so could Fort Lauderdale.

Ms. Hollar believed the City's Code allowed the requirement of whatever was necessary to address the situation, and staff was exploring the idea of telling developers that a mitigation program would be established before construction commenced. She was not sure if that would require a Code amendment, but staff was examining the issue. Mayor Naugle suggested it be addressed during DRC review.

Commissioner Smith asked if a fine could be imposed. Mr. Smith did not believe he had that authority under the Building Code or the City's Code as the Building Official. Mayor Naugle thought a minimum fine of \$10,000 per day might get some attention. Commissioner Moore believed the best way to resolve the issue was to make a plan ahead of time for mitigation. Commissioner Smith pointed out that would require daily inspections because mesh was installed one day and was gone the next. Commissioner Moore advised that in Palm Beach the entire building had been wrapped as opposed to wrapping each floor as the construction moved upward.

Mr. Kisela noted that one of the things that had to be in place in connection with remediation at the Wingate Site was a health and safety plan, including a construction mitigation plan, before work commenced. Mayor Naugle thought that dealing with these issues at the time of DRC review would allow developers to include the cost in their budgets.

Commissioner Hutchinson understood Jackson Towers would be shut down tomorrow, and construction would not be allowed to commence until the contractor did the right thing. Mr. Smith agreed that was correct. Commissioner Hutchinson asked if inspections would be conducted daily. Mr. Smith advised there were inspectors on the site almost every day although they were not specifically looking at that particular issue, but they could do so.

Mayor Naugle wanted to ensure that any damages were being addressed properly. Mr. Smith stated that he had met with the Board of the Portofino Condominium today, and they were seeking damages from the contractor.

Commissioner Katz asked if a site on which a building had been demolished was considered a construction site. Mr. Smith did not believe the South Florida Building Code considered that a construction site. Mr. Kisela felt some type of ground cover should be provided under the Code. Ms. Hollar advised that she would coordinate with Ms. Lori Milano, of the Community Inspections Bureau, with regard to required ground cover on vacant lots.

Ms. Childs listed a number of beach area sites that had been vacant for extended periods of time. Commissioner Smith agreed a lot of properties were left vacant because they had been purchased on speculation. Commissioner Moore pointed out there were vacant lots that should be addressed throughout the City.

**Action:** As discussed.

### **II-C – Purchasing Contract Extensions/Renewals**

A report was presented on the Purchasing Division's upcoming contract extensions and/or renewals.

**Action:** Status Report.

At 5:02 P.M., the meeting was recessed for a Closed Door Session held for the purpose of collective bargaining discussions, pursuant to Section 447.605, Florida Statutes. It was reconvened at 12:15 A.M.

### **III-B – Advisory Board Vacancies**

**Action:** See minutes of Regular Meeting, this date.

### **III-C – Emergency Medical Services (EMS) Coalition Appointment**

**Action:** Commissioner Moore appointed to serve on the EMS Coalition, with Commissioner Smith serving as the alternate.

### **IV – City Commission Reports**

#### **1. Removal of Tree**

Commissioner Katz recalled discussion at the last Commission meeting about a gentleman with a tree on his swale. She requested an update. Mr. Tom Tapp, Director of Parks & Recreation, understood she was referring to the large date palm. He understood the location was a Code issue, although the tree itself was viable. Mr. Tapp did not believe a determination had yet been made, but if this property owner was forced to move this tree, it could affect hundreds of trees throughout Fort Lauderdale.

Mayor Naugle believed the problem was that this was a huge tree that could pose potential hazards. Commissioner Smith thought that this type of enforcement would result in a great many Royal Palm trees being cut down all over the City. Mr. Tapp agreed it was a difficult issue that would require additional study.

Commissioner Moore did not want to see any selective enforcement. If there was a law about certain trees in certain locations, he felt it should be enforced. If people wanted to allow large trees in swales, then appropriate action should be taken to ensure the law was equally applied. Commissioner Smith suggested a Conference discussion item in this regard. Mayor Naugle agreed the Commission needed a report and recommendation. Commissioner Moore noted that stones and other items in the swales should be addressed as well.

**Action:** Staff to provide report and recommendation.



## 2. Floranada Elementary School

Commissioner Katz stated that Floranada Elementary School was petitioning the School Board for pedestrian signal flashers on Northeast 18<sup>th</sup> Avenue, south of 56<sup>th</sup> Street, and on Dixie Highway, south of 62<sup>nd</sup> Street. She suggested a resolution of support be adopted. Mayor Naugle suggested a resolution subject to City staff review of the necessity. It was agreed.

**Action:** Resolution to be adopted at Regular Meeting.

The meeting was briefly recessed for a formal vote on this item, and was reconvened.

## 3. Neighborhood Groups

Commissioner Hutchinson stated that there were neighborhoods creating traffic plans, suggesting zoning changes, and dealing with moratoria. She was wondering if these were organized groups and if they were representing anyone in particular. Commissioner Hutchinson believed there was a way to deal with these things as a City without creating another bureaucracy. She stated that the State had various regulations pertaining to neighborhood associations, and she wanted to work on the issue and provide a recommendation.

Mayor Naugle suggested that the City Clerk be asked to poll neighborhood associations to determine how many had formally incorporated. He did not believe neighborhood associations were required to incorporate, and many had decided against it to avoid paying fees to the State while others preferred to incorporate to protect individuals against lawsuits. Mayor Naugle suspected there were many that had not incorporated.

Commissioner Hutchinson was concerned because there was a group in her District that posted meetings and endorsed projects but really represented no one. She felt there should be a way to ensure that neighborhood associations actually represented those they purported to represent. Commissioner Moore believed the only person the Commission could be certain represented a particular community, and that was the elected official. He pointed out that even when there were recognized civic associations, there were often claims that the people themselves were not represented by those associations. Commissioner Moore pointed out that each Commissioner represented everyone in their Districts, whether they were members of an association or not.

Commissioner Smith was sure every Commissioner had struggled with this issue because there had been other neighborhoods with "splinter" groups. He had never figured out any particular way to address the situation. Commissioner Hutchinson was particularly concerned about areas that had no neighborhood association and then someone appeared before the Commission and claimed to be representing certain residents. Mayor Naugle thought it would be helpful to determine what neighborhoods had been incorporated before proceeding further. He also noted that District Commissioners could keep the rest of the Commission informed if they were not aware of a particular association indicating it was representing some area.

**Action:** As discussed.

4. NUSA

Commissioner Hutchinson suggested membership in NUSA. She understood the fee was \$100. It was agreed.

The meeting was briefly recessed for a formal vote and was reconvened.

**Action:** Approved.

5. Agenda Packages

Commissioner Hutchinson thought it would be really helpful to have the agenda back-up materials posted on the City's web site because the memoranda only did not make everything clear. She believed it would save staff time in making copies for people who were unclear on this issues. The City Clerk advised that staff was striving toward that goal, and a recommendation would be forthcoming about a link from the web site to the imaging system.

**Action:** As discussed.

6. Celebrity Run

Commissioner Smith reminded the Commission of the Celebrity Run challenge on June 10, 2000 at 10:00 A.M. at New River Terrace Park. He added that the neighborhood would be planting another 300 trees the following weekend.

**Action:** None.

**V – City Manager Reports**

1. Governor's Commission on the Homeless

The City Manager advised there was an opening for someone to be assigned to the Governor's Commission on the Homeless. He suggested the appointment of Assistant Police Chief Bob Pusins. It was agreed.

**Action:** Approved.

Meeting adjourned at 12:38 A.M.

NOTE: A MECHANICAL RECORDING HAS BEEN MADE OF THE FOREGOING PROCEEDINGS, OF WHICH THESE MINUTES ARE A PART, AND IS ON FILE IN THE OFFICE OF THE CITY CLERK FOR A PERIOD OF TWO YEARS.